

AMENDED IN ASSEMBLY APRIL 21, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 788

Introduced by Assembly Member Swanson

February 26, 2009

An act to add Section 41321.3 to the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 788, as amended, Swanson. Education finance: prohibition of transfer of funds to a charter ~~school~~. *school located within the territorial jurisdiction of the Oakland Unified School District.*

Existing law provides for the allocation of emergency apportionments to school districts that are subject to specified conditions that include the appointment by the Superintendent of Public Instruction of an administrator to exercise the powers and responsibilities of the governing board of the school district, or the appointment of a trustee to monitor and review the financial condition of the district.

Existing law specifically provides for the assumption by the Superintendent of Public Instruction of an administrator of all of the rights, duties, and powers of the governing board of the Oakland Unified School District and for the appointment of an administrator to act on behalf of the Superintendent in this regard.

This bill would prohibit the Superintendent *or his or her appointed administrator or trustee* from transferring or allocating to a charter school *located within the territorial jurisdiction of the Oakland Unified School District* any funds appropriated or allocated to a ~~school district~~

~~for which a state administrator or trustee has been appointed under the provisions referenced above~~ *that school district.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 41321.3 is added to the Education Code,
2 to read:
3 41321.3. Notwithstanding any other provision of law, the
4 Superintendent *or his or her appointed administrator or trustee*
5 is prohibited from transferring or allocating to a charter school ~~any~~
6 ~~funds appropriated or allocated to a school district for which a~~
7 ~~state administrator or trustee has been appointed under this chapter~~
8 ~~or pursuant to Chapter 14 of the Statutes of 2003.~~ *located within*
9 *the territorial jurisdiction of the Oakland Unified School District*
10 *any funds appropriated or allocated to that school district.*